

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

GARRETT RYAN BOTELLO,

Defendant.

CASE NO. 2:24-cr-00146-LK-1

ORDER GRANTING UNOPPOSED  
MOTION TO CONTINUE TRIAL  
AND PRETRIAL MOTIONS  
DEADLINE

This matter comes before the Court on Defendant Garrett Botello's Unopposed Motion to Continue Trial and Pretrial Motions Deadline. Dkt. No. 15. Mr. Botello seeks to continue the trial date from May 5, 2025 to July 28, 2025. *Id.* at 1. The Government does not oppose the request for a trial continuance. *Id.*

Mr. Botello is charged by indictment with escape from custody in violation of 18 U.S.C. § 751(a). Dkt. No. 1. Trial is currently set for May 5, 2025, with a pretrial motions deadline of March 24, 2025. *Id.*

Mr. Botello's counsel, Kristen V. Murray, will be on medical leave and unavailable from March 6, 2025 to March 28, 2025. Dkt. No. 15 at 2. She anticipates being able to reappear for court

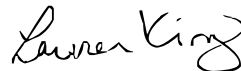
ORDER GRANTING UNOPPOSED MOTION TO CONTINUE TRIAL AND PRETRIAL MOTIONS DEADLINE

1 appearances and attend client meetings beginning on March 31, 2025. *Id.* Counsel filed her notice  
2 of unavailability on February 27, 2025. Dkt. No. 7; *see also* Dkt. No. 15 at 2. Although plea  
3 negotiations are ongoing, defense counsel will need adequate time to prepare and take necessary  
4 investigative steps if the matter proceeds to trial. Dkt. No. 15 at 2. Mr. Botello has waived his  
5 speedy trial rights through September 1, 2025. Dkt. No. 14 at 1.

6 Pursuant to 18 U.S.C. § 3161(h)(7)(A), the Court finds that the ends of justice served by  
7 granting a continuance outweigh the best interest of the public and Mr. Botello in any speedier  
8 trial. Specifically, the Court finds that failure to grant the requested continuance would likely result  
9 in a miscarriage of justice and would deny defense counsel the reasonable time necessary to  
10 investigate this matter and prepare for trial, taking into account the exercise of due diligence. *See*  
11 18 U.S.C. § 3161(h)(7)(B)(i), (iv). The Court finds that the additional time requested is a  
12 reasonable period of delay and is necessary to provide counsel and Mr. Botello sufficient time for  
13 the above-listed tasks. 18 U.S.C. § 3161(h)(7)(B)(iv).

14 For these reasons, the Court GRANTS the motion, Dkt. No. 15, and ORDERS that the trial  
15 date be continued to July 28, 2025 and that the pretrial motions deadline be continued to June 16,  
16 2025. It is further ORDERED that, pursuant to 18 U.S.C. § 3161(h)(7)(A) and (B), the period of  
17 delay from the date of this Order to the new trial date is EXCLUDED when computing the time  
18 within which Mr. Botello's trial must commence under the Speedy Trial Act.

19 Dated this 6th day of March, 2025.

20 

21 Lauren King  
22 United States District Judge  
23  
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